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hereby certify that the following correspondence is being deposited with the United States Postal Service as "First Class Mail" with proper postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 25, 2007.

- 1) Response to Restriction/Election Requirement (2 pages)
- 2) Return Postcard

Melissa Hardy

Name

Melissa Hardy

Signature

JH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



IN RE APPLICATION OF:

Rafiqul Khan

SERIAL NO.: 10/517,039

FILED: December 7, 2004

TITLE: METHOD OF TRANSFORMING
SOYBEAN

GROUP ART UNIT: 1638

EXAMINER: Baggot, B.

ATTORNEY DOCKET NO: 70094USPCT

CONFIRMATION NO.: 7399

REPLY TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction/Election Requirement dated April 25, 2007 requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby elect to prosecute the invention of Group I, claims 1-18 drawn to a method of transforming soybean cells and regenerating soybean plants. This election is made without traverse.

Applicants reserve their statutory right under §121 to prosecute the subject matter of the non-elected inventions in a timely-filed application.

Applicants believe there is no fee due with this response. However, the Commissioner is hereby authorized to charge any fees deemed necessary, or credit any overpayment, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.